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07/589,428

09/27/90

B331-006

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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F3M1/0709

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330 MADISON AVENUE
NEW YORK, NY 10017

EXAMINER

3304

ART UNIT	PAPER NUMBER
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13

07/09/93

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

- ☐ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire _____ month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☐ Claims _____ are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☐ Claims _____ are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Art Unit 334

This application is in condition for allowance except for the following formal matters: The instant application has been withdrawn from issue so that the following formal matters may be addressed.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE TWO MONTHS FROM THE DATE OF THIS LETTER.

The instant application contains a plurality of Appendices which are referenced in the text of the disclosure (page 19). These appendices contain computer flow diagrams. 37 CFR1.58(a) states "The specification, including the claims, may contain chemical and mathematical formulas, but shall not contain drawings or flow diagrams.

As these flow diagrams are deemed necessary to aid and facilitate understanding of the invention, two courses of remedy are available to applicant. (1) The applicant may prepare and submit the flow diagrams as formal drawings, including figure numbers. Such would also require deletion of references to the appendix in the specification, and the addition of references to the drawings in the brief description of the drawings and in the specification. (2) Alternatively, Applicant may present the diagrams in the form of a microfiche appendix which will not be printed with the patent. See MPEP 608.05(b), which sets forth

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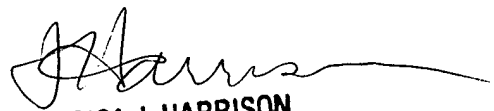
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Art Unit 334

standards and requirements for such submissions.

Any inquiry concerning this communication should be directed to J. Harrison at telephone number (703) 308-2217.

ju 7/8/93
J. Harrison:bhw
July 07, 1993
(703) 308-0858


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PRIMARY EXAMINER
GROUP 3300